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6300 LEGACY DRIVE
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OFFICE OF PETITIONS

In re Application of
LINDQUIST et al.
Application No. 10/021,940
Filed: 12/12/2001
Attorney Docket No. P14554-US1

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed August 3, 2007, requesting that the Office withdraw the holding of abandonment in the above-identified application.

On October 30, 2006, the Office mailed a final Office action, which set a three (3) month shortened statutory period for reply. On December 28, 2006, petitioner submitted a reply in the form of an amendment, which was located in the file. Nevertheless, on June 6, 2007, the Office mailed a Notice of Abandonment, stating that the application was abandoned because no reply had been received.

The final Office action of October 30, 2006, set a three-month shortened statutory period for reply. Therefore, a timely and proper reply was due on or before January 30, 2007. The record indicates that petitioner submitted a reply in the form an amendment within the three-month shortened statutory period. Furthermore, the Examiner has reviewed the amendment and determined that it places the application in condition for allowance. Accordingly, petitioner filed a timely and proper reply on December 28, 2006.

The petition is **granted**. The holding of abandonment is withdrawn and the application will be restored to pending status.

This matter will be referred to Technology Center Art Unit 2612 for appropriate action in the normal course of business on the reply received on December 28, 2006.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211. All other questions regarding the status of the application or the examination process should be directed to the Technology Center.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions